

IN THE SUPREME COURT OF THE STATE OF DELAWARE

DANIEL R. COUSINS,	§
	§ No. 679, 2010
Defendant Below-	§
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for Sussex County
	§ Cr. ID 0002004173
Plaintiff Below-	§
Appellee.	§

Submitted: December 13, 2010

Decided: January 21, 2011

Before **HOLLAND, BERGER**, and **JACOBS**, Justices

ORDER

This 21st day of January 2011, after careful consideration of the parties' briefs and the record on appeal, we find it manifest that the judgment below should be affirmed on the basis of the Superior Court's well-reasoned decision dated October 5, 2010. The Superior Court did not err in concluding that appellant's second motion for postconviction relief was untimely, that the issues raised therein were both repetitive and previously adjudicated,¹ and that appellant had failed to overcome the procedural hurdles.

¹ See *Cousins v. State*, 2004 WL 1097700 (Del. May 13, 2004).

NOW, THEREFORE, IT IS ORDERED that the judgment of the
Superior Court is AFFIRMED.

BY THE COURT:

/s/ Carolyn Berger
Justice